

Lower Willamette Group

Co-Chairperson: Jim McKenna, Port of Portland

Co-Chairperson: Bob Wyatt, NW Natural

Treasurer: Fred Wolf, Legacy Site Services

April 7, 2008

Lori Cora
US EPA
1200 Sixth Avenue
ORC-158
Seattle, WA 98101

Chip Humphrey
US EPA
805 SW Broadway
Suite 500
Portland, OR 97205

Eric Blischke
US EPA
805 SW Broadway
Suite 500
Portland, OR 97205

US EPA
Attn: Joe Poetter
Superfund Payments
Cincinnati Finance Center
PO Box 979076
St. Louis, MO 63197-900

Re: Site 108T, Portland Harbor Superfund Site RI/FS
Request for Underlying Backup Regarding EPA Bill No. 2700826S149 and Notice re
Future Potential Invocation of Dispute Resolution regarding Charges.

Dear Ms. Cora, and Mssrs. Humphrey, Blischke, and Poetter,

Thank you for the copy of EPA's Bill No. 2700826S149 which was received by the Lower Willamette Group (LWG) on March 21, 2008.

Section XXII of the Settlement Agreement and Administrative Order on Consent for the Site (the RIFS Settlement) authorizes the LWG to review the underlying EPA cost documentation including EPA personnel time sheets, travel authorizations and vouchers, EPA contractor monthly invoices, and all applicable contract laboratory program invoices. After review of the backup documentation, the LWG may request an adjustment for costs that are not consistent with the RIFS Settlement. In addition, the underlying documentation is necessary for LWG members to maximize their opportunities for effective project management and cost recovery.

As described in the LWG letter to Mr. Chip Humphrey and Ms. Lori Cora of EPA on December 19, 2006, the LWG understands that the EPA interprets the AOC as requiring dispute resolution under Section XVIII of the RIFS Settlement on oversight cost disputes. The LWG also understands that if during the 30-day period after receipt of the EPA Invoice, the LWG has any questions regarding the EPA Invoice, that the EPA is willing to provide clarification on billed costs as a way to help the LWG resolve any questions.

Before the end of the 30-day period, if the LWG has not received the information it needs in order to determine whether the billed oversight costs are within the scope of the RIFS Settlement and related to the Portland Harbor, the LWG members who signed the RIFS Settlement may invoke dispute resolution under Section XVIII of the Settlement by sending a written letter to

EPA's Project Coordinator, defining the dispute, stating the basis for the objection, and sending the letter certified mail, return receipt requested.

Since the LWG received the EPA Bill on March 21, 2008, the 30-day period ends April 20, 2008. However, since April 20, 2008 is a Sunday, the LWG will use Monday April 21, 2008 as the deadline for invoking dispute resolution.

Once again, the LWG requests that EPA provide all underlying oversight cost documentation at the same time EPA's future oversight bills are transmitted to the LWG.

The LWG also requests that future invoices be sent to Bob Wyatt, LWG Co-chairperson; Jim McKenna, LWG Co-chairperson; and Fred Wolf, LWG Treasurer, and that the copy of the underlying cost documentation be sent to Fred Wolf.

If you have any questions, please call Bob Wyatt at 503-226-4211 x5425 or Jim McKenna at 503-044-7325.

Sincerely,



Bob Wyatt
Co-Chair



Jim McKenna
Co-Chair

Cc: Susan Haas
Moe Lance
Lynne Kershner
LWG Legal Committee
LWG Executive Committee
LWG Repository